

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**SAFETY NATIONAL CASUALTY
CORPORATION and
AAA BONDING AGENCY, INC.,**

Plaintiffs,

V.

**UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, *et al.*,**

Defendants.

S S S S S S S S

CIVIL ACTION NO. H-05-cv-2159

FINAL JUDGMENT ORDER

Pursuant to Federal Rules of Civil Procedure 54(b) and 58, Defendants now move for final judgment as to nine bonds previously adjudicated in this Court’s May 11, 2009 Order (“May 2009 Order”) (Doc. No. 153) (“Nine Bonds”). In making a determination as to whether final judgment is appropriate under Rule 54(b), a Court must first determine whether its decision was final in the sense that it is “‘an ultimate disposition of an individual claim entered in the course of a multiple claims action.’” *Curtiss-Wright Corp. v. General Electric Co.*, 446 U.S. 1, 7 (1980) (citing *Sears, Roebuck & Co. v. Mackey*, 351 U.S. 427, 436 (1956)). A court must then determine whether there is just reason for delay. *Id.* at 8. Judicial discretion in this regard is to be exercised “in the interest of sound judicial administration.” *Id.*

This Court's May 2009 Order makes clear that its determination as to the Nine Bonds was indeed final. Moreover, in light of this Court's rulings in the Memorandum and Order issued on the same day as this Order, the Court does not find that future

developments in this case will have any effect upon this Court's holding with respect to these bonds. Accordingly, the Court finds no reason to delay payment on these Nine Bonds, to which this Court determined Defendants are entitled more than 12 months ago.

Accordingly, Defendants' Motion for Final Judgment (Doc. No. 153) is hereby **GRANTED**. Final judgment as to the nine previously adjudicated bonds that are the subject of this Motion is hereby **ENTERED** in favor of Defendants. The amounts owed under these bonds is now due.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 28th day of May, 2010.

A handwritten signature in dark ink, appearing to read "Keith P. Ellison", written over a horizontal line.

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**TO ENSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**